

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK  
AUTHORIZING AN AGREEMENT WITH TRILLIUM, INC. TO PROVIDE  
ENVIRONMENTAL CONSULTING SERVICES AS AN EXTRAORDINARY  
UNSPECIFIABLE SERVICE**

**WHEREAS**, North Brunswick Township is participating with the North Brunswick Board of Education as co-plaintiffs in litigation against defendants who are believed to be responsible for the contamination of soil and groundwater at North Brunswick Township High School, Veteran's Park, and adjoining properties; and

**WHEREAS**, special legal counsel for the Township and the Board of Education have jointly recommended the hiring of Trillium, Inc. to provide environmental consulting services including expert analysis of soil, historical groundwater and industrial production data, preparation of reports which will be used as evidence in the litigation, and to serve as an expert witness in the litigation; and

**WHEREAS**, the Board of Education has already engaged Trillium, Inc. to provide such services in preparation for this litigation; and

**WHEREAS**, the Business Administrator has determined that the Township cannot procure these services pursuant to N.J.S.A. 40A:11-1 et seq. under a fair, open, and competitive process, since the Board of Education has already engaged the environmental expert and the potential selection of a different expert witness would not be conducive to the combined interests of the Board of Education and the Township in this litigation; and

**WHEREAS**, Jacob Grouser, Esq., Special Counsel to the Township, has reviewed the professional credentials, education, experience of the principals at Trillium, Inc. and believes the principals possess the expertise, extensive training, and proven reputation to provide the analysis, reports and serve as an expert witness in the current litigation; and

**WHEREAS**, it is in the best interest of the Township of North Brunswick to enter into an agreement with Trillium, Inc. to provide environmental consulting services, including analysis of the materials recovered from the contaminated soils and groundwater; and research and reporting on the production and waste materials from the defendants, which includes services already rendered from January 1, 2010 through December 31, 2012 and for future services to be provided in 2013; and

**WHEREAS**, the Board of Education and the Township have agreed to equally share in the expense of the services already provided by Trillium, Inc. which amounts to \$69,647.11, and it is expected that additional services to be provided in 2013 will not exceed \$50,000.00; and

**WHEREAS**, Kala Sriranganathan, Chief Financial Officer, has certified that funds are available for the Township's share of \$34,647.11 for prior services rendered and \$25,000 for services to be rendered in 2013 in account C-04-55-C04-021-104;

**NOW, THEREFORE, BE IT RESOLVED** on this 14<sup>th</sup> day of January, 2013, that the Township Council of the Township of North Brunswick does hereby authorize the Mayor to execute and the Township Clerk to witness an agreement with Trillium, Inc. to provide environmental consulting services and expert witness testimony and to pay them \$34,647.11 for their services rendered to date and up to \$25,000 in 2013 for the Township's share in accordance with their fee schedule .